

REMARKS

Claims 1 and 8-12 are pending in this application. By this Amendment, claim 1 is amended, claims 2-7 are cancelled without prejudice to or disclaimer of, the subject matter recited therein, and claims 8-12 are added. Support for the amendment to claim 1 can be found at least in Fig. 2, steps 108 and 116. Support for claims 8-12 can be found at least in Fig. 2 and in the specification, at least at page 7, lines 6-23, and page 8, lines 1-17. No new matter is added.

Applicants appreciate the courtesies shown to Applicants' representatives by Examiner Nguyen in the May 15, 2007 personal interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

The Office Action alleges the Information Disclosure Statement filed on September 8, 2003 fails to comply with C.F.R. §1.98(a)(2), for failing to provide document item 3 (JP A 2000-211475 with abstract and translation). Applicants respectfully disagree. Document 3 was properly submitted with the Information Disclosure Statement filed on September 8, 2003, and received by the Patent Office as evidenced by the attached PTO Filing Receipt. However, Applicants attach an additional copy of JP A 2000-211475 with an abstract and translation, for the Examiner's review.

The Office Action objects to the Abstract for failing to conform with the English language syntax. Applicants have amended the Abstract and respectfully submit that the Abstract is clear, non-ambiguous, and conforms with the English language syntax.

The Office Action rejects claim 1 under 35 U.S.C. §103(a) over U.S. Patent No. 6,374,168 to Fujii in view of U.S. Patent Application Publication No. 2004/0068354 to Tabe. The rejection is respectfully traversed.

As agreed by Examiner Nguyen during the May 15, 2007 personal interview, Fujii and Tabe, individually or combined, fail to disclose a belt tension controlling means for

controlling a driver-seat seatbelt tension changing means and a passenger-seat seatbelt tension changing means so as to increase the tension applied to each of the driver-seat seatbelt and the passenger-seat seatbelt when the crash predicting means determines that there is a possibility of a vehicle crash, and set setting the tension applied to a driver-seat seatbelt to always be smaller than the tension applied to a passenger-seat seatbelt, as recited in independent claim 1.

The Office Action admits Fujii does not disclose separate driver and passenger seatbelt tension changing means and does not explicitly disclose that the tension applied to the drivers' seat is less than the tension applied to the passengers seat. However, the Office Action alleges Tabe satisfies the deficiencies of Fujii. Particularly, the Office Action alleges Tabe describes providing seatbelt tension changing means for all passengers in a vehicle.

Tabé describes a seatbelt control system, including a CPU that uses information from the speed of the vehicle and the occupants' weight information to calculate an appropriate tensional force to be applied on seatbelts (see paragraph [0037]). However, Tabé fails to describe a belt tension controlling means that sets the tension applied to a driver-seat seatbelt to always be smaller than the tension applied to a passenger-seat seatbelt. For example, as admitted during the May 15 personal interview, in Tabé, if the driver were heavier than at least one passenger, the tension of the driver's belt would be greater than the tension of at least one passenger's belt. Thus, the system of Tabé may, in certain circumstances, provide a tension to a driver's seatbelt that is greater than the tension applied to a passenger's seatbelt. Accordingly, the system of Tabé does not always set the driver's tension to be smaller.

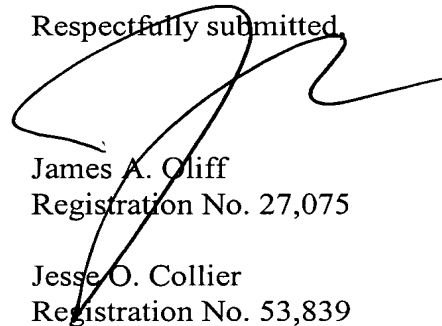
Therefore, for at least these reasons, it is respectfully submitted that claim 1 is patentable over Fujii and Tabé. Further, it is respectfully submitted that dependent claims 8-10 are patentable at least in view of the patentability of claim 1, from which they depend, as well as for the additional features they recite. New independent claim 11 recites features

similar to those recited in claim 1, and is thus patentable for at least the reasons claim 1 is patentable. Additionally, claim 12 is patentable at least in view of the patentability of claim 11, from which it depends, as well as for the additional features it recites. Accordingly, it is respectfully requested that the rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:LXF/sxb

Attachments:

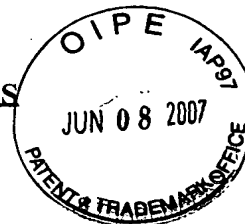
Amended Abstract
Copy of September 8, 2003 PTO Filing Receipt
JP A 2000-211475 (with English-language Abstract and Machine Translation)

Date: June 8, 2007

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The following papers have been filed:

Applnt & ck 145985 \$918, 40 pp spec/claims (7)/abst., 7 sheets drwgs (Figs 1-7), DECL, Assign Trans & ck 145984 \$40, ASSIGN, IDS, pto 1449, appendix, 9 refs, 9 abst, 8 transl, cert cpy of JP 2002-309146 (10/24/02)

Name of Applicant: Takaaki ENOMOTO, Hideki KATO

Serial No.: New U.S. Patent Application

Atty. File No.: 117027

Title (New Cases): VEHICLE OCCUPANT PROTECTION APPARATUS

Sender's Initials: JAO/rew

56/29

NEW APPLICATION

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